IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 6861 of 2005

Between:

1 Dondapati Narasimha Rao, S/o. Laxmaiah,
R/o. Gopalapuram Village, Gollagudem Panchayat, Khammam Urban Mandal, Khammam District - 507 002.
2 Dondapati Srinivasa Rao, S/o. Laxmaiah,
R/o. Gopalapuram Village, Gollagudem Panchayat, Khammam Urban Mandal, Khammam District - 507 002.
3 Dondapati Laxmaiah, S/o. Narasaiah,
R/o. Gopalapuram Village, Gollagudem Panchayat, Khammam Urban Mandal, Khammam District - 507 002.
4 Gollapudi Venkateswarlu, S/o. Ramaiahm,
R/o. Gopalapuram Village, Gollagudem Panchayat, Khammam Urban Mandal, Khammam District - 507 002.
5 Dondapati Nageswara Rao, S/o. Laxmaiah,
R/o. Gopalapuram Village, Gollagudem Panchayat, Khammam Urban Mandal, Khammam District - 507 002.
6 Lakavathu Lalu, S/o. Ramulu,
R/o. Gopalapuram Village, Gollagudem Panchayat, Khammam Urban Mandal, Khammam District - 507 002.
7 Lakavathu Venkatu, S/o. Ramulu,
R/o. Gopalapuram Village, Gollagudem Panchayat, Khammam Urban Mandal, Khammam District - 507 002.
8 Lakavathu Pekula, S/o. Tulsa,
R/o. Gopalapuram Village, Gollagudem Panchayat, Khammam Urban Mandal, Khammam District - 507 002.
9 Lakavathu Balaji, S/o. Ramulu,
R/o. Gopalapuram Village, Gollagudem Panchayat, Khammam Urban Mandal, Khammam District - 507 002.
10 Ankireddy Anuradha, W/o. Ravindranath,
R/o. Gopalapuram Village, Gollagudem Panchayat, Khammam Urban Mandal, Khammam District - 507 002.
11 Dondapati Anasuyamma, W/o. Laxmaiah,
R/o. Gopalapuram Village, Gollagudem Panchayat, Khammam Urban Mandal, Khammam District - 507 002.

... PETITIONERS

AND

1 District Collector, Khammam, Khammam district.
2 Mandal Revenue Officer, Khammam Urban Mandal, Near Railway Station, Khammam District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ or order or direction more particularly in the nature of Writ of Mandamus permanently restraining the respondents from taking any action that may obstruct the road and from allotting any house sites on the existing katcha road in Sy.No. 108/2 of Velugumatla Village, Gollagudem Panchayat, Khammam Urban Mandal, Khammam District i.e. road connecting Balapeta, Vepakuntla and Chinthagurthy Villages to the Gopalapuram Bridge on the Nagarjuna Sagar Project Left Bank Canal.

Counsel for the Petitioners: MR.A.SANJAY KISHORE

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

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/*ORDER:

This writ petition is filed seeking a writ of Mandamus restraining the respondents from taking any action that may obstruct the road and from allotting any house sites on the existing katcha road in Sy.No.108/2 of Velugumatla Village, Gollagudem Panchayat, Khammam urban Mandal, Khammam District.

The petitioners claim to be the agriculturists having small land holdings in Velugumatla Village. It is stated a katcha road is existing in sy.No.108/2 which connects the highway to Velugumatal and other villages, which is being used by the local people to reach their villages and at the request of the villagers, the said approach road was also widened and improved in the year 2000. While so, it is alleged that the officials of the respondents, having decided to allot house sites to some of the beneficiaries in the adjacent land have been taking steps to demarcate plots even on the existing road in Sy.No.108/2. Though the petitioners protested and

requested not to obstruct the road, they failed to consider. Hence, this writ petition.

Having heard the learned counsel for the petitioner, I am not inclined to issue the Mandamus as prayed for merely on the basis of the allegations in the affidavit of the petitioners. That apart, the allegation that the existing road is likely to be blocked is a question of fact which requires to be enquired into and decided by the competent authority. Since, the petitioners state that they have already filed a representation on 17-03-2005 raising the objections, I deem it appropriate to dispose of the writ petition with a direction to the first respondent to consider the said objections and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of one week from the date of receipt of a copy of this order.

The Writ Petition is accordingly, disposed of. No order as to costs.

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G. ROHINI, J

Dated: 31-03-2005

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To

1 District Collector, Khammam, Khammam district.
2 Mandal Revenue Officer, Khammam Urban Mandal, Near Railway Station, Khammam District.

3 Two C.Cs. to the G.P. for Revenue, High Court buildings, Hyderabad. (OUT)

4 Two C.D. copies.